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BY ECF

August 24, 2021

Honorable P. Kevin Castel
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007

**Re: *United States v. Virgil Griffith,*
 20 Cr. 15 (PKC)**

Dear Judge Castel:

We write respectfully on behalf of defendant Virgil Griffith to request a brief extension from Friday, August 27, 2021, until Monday, August 30, 2021 within which to file Mr. Griffith's: (1) opposition to the government's omnibus motion *in limine* (ECF No. 131); and (2) response to the government's requests to charge (ECF No. 130). Counsel for Mr. Griffith will file the other submissions identified in the Court's scheduling order on the existing August 27 deadline, *i.e.*, the defense motions *in limine* and response to the government's proposed voir dire. This is Mr. Griffith's first request for a continuance of these filing deadlines. We have conferred with counsel for the government, who consents to this application.

The requested adjournment will permit defense counsel to finalize the relevant filings, and defense counsel does not believe doing so will unnecessarily delay matters, including the commencement of trial. As the Court is aware, at the time the Court set the pretrial filing schedule, trial was scheduled to commence on September 21, 2021. (ECF No. 114.) Thereafter, the commencement of trial was continued until September 27, 2021, but the Court ordered that the pretrial schedule remained unchanged. (ECF No. 126.) Consistent with that schedule, the



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government filed its 54-page omnibus motion *in limine*, proposed jury instructions, and proposed voir dire on August 13, 2021. (ECF Nos. 129-131.) Since that time, defense counsel has worked diligently on preparing responses. The brief continuance will afford defense counsel an opportunity to respond to the numerous complex and fact-intensive arguments raised in government's motions *in limine* as well as the government's requests to charge, which are also lengthy and contain many jury instructions that have been specially crafted for this case and entail complex issues of law. Finally, the pretrial scheduling order does not contemplate the filing of a reply brief, so the requested continuance does not.

For all the foregoing reasons, the defense respectfully requests that the Court grant this application.

Respectfully submitted,

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-and-

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